

02-06-01

Image
SGM 6938.1
PATENT 1637

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Brian Ward et al.

Art Unit 1637

Serial No. 10/002,292

Confirmation No. 2146

Filed November 15, 2001

For RECOMBINANT DNA PROCESS USING dNTP MIXTURE CONTAINING MODIFIED NUCLEOTIDES

Examiner Kenneth R. Horlick

February 5, 2004

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

**LETTER TO THE PATENT AND TRADEMARK OFFICE REGARDING
INFORMATION DISCLOSURE STATEMENT**

On August 15, 2002, applicants submitted copies of references 34-48, originally cited in the Information Disclosure Statement filed with the Patent and Trademark Office on February 15, 2002.

On February 4, 2004, the undersigned received a call from Examiner Horlick advising that he was unable to locate these fifteen references. Per Examiner Horlick's suggestion, applicants are submitting copies of the documents, including the fifteen references, originally provided to the Office on August 15, 2002.

* Accordingly, enclosed herewith is a copy of the Letter to the Commissioner dated August 15, 2002, copies of the Information Disclosure Statement and of references 34-48 submitted therewith, a copy of the stamped Post Card indicating the Office's receipt of the August 15, 2002, mailing, and a copy of the Express Mail Label attached to the August 15, 2002, mailing.

Respectfully submitted,

Timothy B. McBride, Reg. No. 47,781
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

TBM/sxm
* Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Brian Ward et al.

Serial No. 10/002,292

Filed November 15, 2001

For RECOMBINANT DNA PROCESS USING DNTP MIXTURE CONTAINING
MODIFIED NUCLEOTIDES

August 15, 2002

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,

SIR:

**LETTER TO THE PATENT AND TRADEMARK OFFICE REGARDING
INFORMATION DISCLOSURE STATEMENT**

On February 15, 2002, applicants submitted an Information Disclosure Statement listing 48 references. Applicants, however, did not have a copy of 15 of these references (references 34-48) available to submit with the Information Disclosure Statement at that time. Applicants now have obtained and have enclosed a copy of the missing references and a copy of the Information Disclosure Statement already submitted with this letter.

Respectfully submitted,

Debra D. Nye

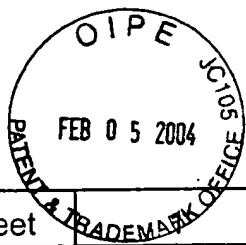
Debra D. Nye, Reg. No. 48,260
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

DDN/sxm

*Attachments

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PTO/SB/08A				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/002,292
				Filing Date	November 15, 2001
				Confirmation Number	
				First Named Inventor	Brian Ward, et al.
				Group Art Unit	
				Examiner Name	
				Sheet	TRADEMARK OFFICE



U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	1	6,140,086		Fox, et al.	10-31-2000
	2	5,856,144		Mierendorf, et al.	01-05-1999
	3	5,744,306		Murtagh, Jr., et al.	04-28-1998
	4	5,683,869		Shaw, et al.	11-04-1997
	5	5,688,669		Murtagh	11-18-1997
	6	5,659,027		Spielvogel, et al.	08-19-1997
	7	5,604,098		Mead, et al.	02-18-1997
	8	5,595,895		Miki, et al.	01-21-1997
	9	5,594,115		Sharma	01-14-1997
	10	5,580,759		Yang, et al.	12-03-1996
	11	5,523,221		Weiner	06-04-1996
	12	5,518,900		Nikiforov, et al.	05-21-1996
	13	5,518,901		Murtagh	05-21-1996
	14	5,487,993		Herrnstadt, et al.	01-30-1996
	15	5,284,933		Dobeli, et al.	02-08-1994

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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		Examiner Name	
Sheet 1	of 4	Attorney Docket No.	SGM 6938.1



16	5,310,663	Dobeli, et al.	05-10-1994
17	5,260,427	Spielvogel, et al.	11-09-1993
18	5,075,227	Hagen	12-24-1991
19	4,851,341	Hopp, et al.	07-25-1989
20	4,800,159	Mullis, et al.	01-24-1989
21	4,683,195	Mullis, et al.	07-28-1987
22	4,683,202	Mullis	07-28-1987
23	4,682,195	Yilmaz	07-21-1987
24	4,569,794	Smith, et al.	02-11-1986
25	4,532,207	Brewer, et al.	07-30-1985
26	4,521,509	Benkovic, et al.	06-04-1985

FOREIGN PATENT DOCUMENTS

OTHER ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	27	OKADA, ET AL., Efficient directional cloning of recombinant adenovirus vectors using DNA-protein complex, Nucleic Acids Research, 1998, 26(8):1947-1950	
	28	WONG, ET AL., A novel method for producing partial restriction digestion of DNA fragments by PCR with 5-methyl-CTP, Nucleic Acids Research, 1997, 25(20):4169-4171	

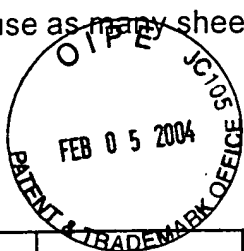
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29	HSIAO, Exonuclease III induced ligase-free directional subcloning of PCR products, Nucleic Acids Research, 1993, 21(23):5528-5529	
30	MEAD, ET AL., A universal method for the direct cloning of PCR amplified nucleic acid, Bio/Technology, 1991, 9:657-663	
31	MARCHUK, ET AL., Construction of T-vectors, a rapid and general system for direct cloning of unmodified PCR products, Nucleic Acids Research, 19(5):1154	
32	HOLTON, ET AL., A simple and efficient method for direct cloning of PCR products using ddT-tailed vectors, Nucleic Acids Research, 1990, 19(5):1156	
33	PUTNEY, ET AL., A DNA fragment with an α -phosphorothioate nucleotide at one end is asymmetrically blocked from digestion by exonuclease III and can be replicated <i>in vivo</i> , 1981, 75(12):7350-7354	
34	PELHAM, ET AL., Eur. J. Biochem, 1976, 67:247	
35	UHLEN, ET AL., Gene, 1983, 23:369	/
36	SASSENFELD, ET AL., Bio Technology, 1984, 2:76	/
37	MELTON, ET AL., Nucleic Acid Res., 1984, 12:7035	/
38	EVAN, ET AL., Mol. Cell. Biol., 1985, 5:3610-3616	/
39	LABEIT, ET AL., A new method of DNA sequencing using deoxynucleoside alpha-thiotriphosphates, DNA, 1986, 5(2):173-177	/
40	DYATKINA, ET AL., Terminating substrates of DNA polymerases: synthesis and functional study, Nucleic Acids Symp. Ser., 1987, 18:117-120	/
41	LABEIT, ET AL., Meth. Enzymol., 1987, 155:166	/
42	NAKAMAYE, ET AL., Direct sequencing of polymerase chain reaction amplified DNA fragments through the incorporation of deoxynucleoside alpha-thiotriphosphates, Nucl. Acids Res., 1988, 16(21):9947-9959	

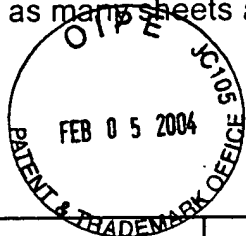
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	43	HOPP, ET AL., Biotechnology, 1988, 6:1204	
	44	SMITH, ET AL., Gene, 1988, 67:31	
	45	SAIKI, ET AL., Science, 1988, 239:487-491	
	46	PRICKETT, ET AL., Bio Techniques, 1989, 7:580	
	47	KOLODZIEJ, ET AL., Methods Enzymol., 1991, 194:508-519	
	48	KALUZ, ET AL., Nucleic Acids Research, 1992, 20:4369-4370	

Examiner Signature		Date Considered	
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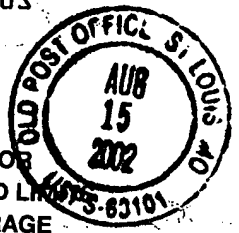
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File SGM 6938.1 Attorney DDN/EXM

Client Name Sigma-Aldrich

Inventor(s) or Mark B. Ward et al.

Serial No. 10/002,292 Patent/Reg. No. _____

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